

REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-3 and 5-32 remain pending in the application.

Applicants' undersigned attorney appreciatively wants to thank Examiner Nguyen for the courtesies extended during the personal interview conducted on November 4, 2003.

Claims 1, 2, 3, 5 and 7-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lowe et al. (U.S. Patent No. 5,673,018) in view of Huang (U.S. Patent No. 6,175,302). In response, claim 1 has been amended to include the recitation that the wireless transmitter periodically transmits a signal indicative of the vehicle displacement. Lowe et al., by contrast, requires that the transponder receive an interrogation signal in order to transmit the distance that the vehicle has traveled (col. 3, lines 5-27). Lowe et al. is quite different from the present invention in that the Lowe et al. transponder system is used to confirm the distance that the vehicle has traveled. That is why an excitation signal is required in Lowe et al. Huang does not overcome the deficiencies discussed above with respect to Lowe et al. Claims 2, 3, 5 and 7-10 recite important, additional limitations and should be patentable for the reasons discussed with respect to claim 1 as well as on their own merits. Accordingly, for at least this reason, the obviousness rejection should be withdrawn.

Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Lowe et al. in view of Huang and further in view of Miller et al. (U.S. Patent No. 4,694,295). Applicants respectfully traverse this rejection.

Lowe et al. and Huang are not combinable for the reasons discussed previously. Further, Miller et al. does not overcome the deficiencies of Lowe et al. and Huang. Further, claim 6 is dependent on claim 1 and is therefore patentable for the reasons discussed above with respect to claim 1. Accordingly, the obviousness rejection should be withdrawn.

Claims 11, 12, 15-18 and 21-32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lowe et al. in view of Davis et al. (U.S. Patent No. 5,177,685). Claim 11 has been amended and is believed patentable for the reasons discussed below.

Claim 11 has been amended to include the recitation that the wireless transmitter periodically transmits a signal indicative of the vehicle displacement. Lowe et al., by contrast, requires that the transponder receive an interrogation signal in order to transmit the distance that

the vehicle has traveled (col. 3, lines 5-27). Lowe et al. is quite different from the present invention in that the Lowe et al. transponder system is used to confirm the distance that the vehicle has traveled. That is why an excitation signal is required in Lowe et al. Davis does not overcome the deficiencies discussed above with respect to Lowe et al. Claims 12, 15-18 and 21-32 recite important, additional limitations and should be patentable for the reasons discussed with respect to claim 11 as well as on their own merits. Accordingly, for at least this reason, the obviousness rejection should be withdrawn.

Claim 13 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Lowe et al. in view of Davis et al. and further in view of Huang. Applicants respectfully traverse this rejection.

Huang does not overcome the deficiencies discussed above with respect to Lowe et al. Accordingly, the obviousness rejection should be withdrawn.

Claim 14 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Lowe et al. in view of Davis et al. and further in view of Miller et al. Applicants respectfully traverse this rejection.

Miller et al. does not overcome the deficiencies of Lowe et al. and Davis. Accordingly, the obviousness rejection should be withdrawn.

Claim 20 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Lowe et al. in view of Davis et al. and further in view of Maples and Miller et al. Applicants respectfully traverse this rejection.

Maples and Miller et al. do not overcome the deficiencies of Lowe et al. and Davis. Accordingly, the obviousness rejection should be withdrawn.

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including

extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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